

4/11/13
 TO: DCA
 From: Benjamin Lamb



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

Under New York City law, licensed process servers and process serving agencies must report a scheduled traverse hearing (hearing contesting service) to the Department of Consumer Affairs (DCA) within 10 days of receiving oral or written notice. See Title 6, Rules of the City of New York § 2-236(c). Licensees may use Part I of this form to report the hearing. See the back for submission methods.

Note: The licensed process server individual and the process serving agency for whom the individual serves process must each submit a completed Traverse Report Form.

PART I – REPORT OF HEARING

Date of Hearing 4/11/13	
Court Civil	County New York
Part 1	Index No. 13 NOS2815
Judge N/A	
Petitioner/Plaintiff Nadir Benoit Elsieed	Petitioner/Plaintiff's Attorney (include firm's name) Michael B. Palillo
Respondent/Defendant David Berk	Respondent/Defendant's Attorney (include firm's name) N/A
Date of Service 2/8/13	
Process Server Name Benjamin Lamb	DCA License No. 1071492
Process Serving Agency Assigning Service Supreme Judicial Services, Inc License # 1092373	

IMPORTANT: Licensed process servers must report the result of the traverse hearing to DCA within 10 days of learning it. Licensees may use Part II of this form, located on the back, to report the result by e-mail, fax, or certified mail.

TO: DCA

From: Benjamin Lamb Lic #1071492



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

PART II – REPORT OF RESULT

The licensed process server individual and the process serving agency must attempt to contact the petitioner/plaintiff or the petitioner/plaintiff's attorney by mail or e-mail to learn the result of the traverse hearing.

If the licensee does not receive a response within 60 days, the licensee must search the court records a minimum of two occasions for the result of the traverse hearing.

Within 100 days of the hearing date, the licensee must report to DCA either the result of the traverse hearing OR that he/she made the required attempt to learn the result without success. See Title 6, Rules of the City of New York § 2-236(c) (2011).

Result (Check ONE box only.)

Traverse was:

- ☒ Sustained (improper service)
- ☐ Overruled (proper service)
- ☐ Decision Reserved
- ☐ Settled
- ☐ Did Not Learn Result

Comments

I was not able to attend the traverse hearing.

Signature

B. Lamb

Date 5/31/13

Please use ONE of the following methods to submit this form and attachments to DCA:

- E-mail TraverseReports@dca.nyc.gov OR
- Fax (212) 487-4390 OR
- Mail to: Department of Consumer Affairs
Legal Division
42 Broadway, 9th Floor
New York, NY 10004



**Department of
Consumer Affairs**

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES WHO SIGNED A CONSENT ORDER

Process servers and process serving agencies both must report a scheduled traverse hearing (hearing contesting service) to the Department of Consumer Affairs (DCA) within 10 days of receiving oral or written notice that such a hearing has been scheduled. See Title 6, Rules of the City of New York 2-236(ad). Use **Part I** of this form to report the scheduled hearing. Submit this form and any attachments to DCA by emailing TraverseReports@dca.nyc.gov.

Note: Both process server and the process serving agency must each submit a complete Traverse Report Form.

PART I – REPORT OF HEARING

Date of Hearing 6/20/2019	
Court civil	County Bronx
Part E	Index No. 4713-18
Judge Diane E. Lutwak	
Petitioner/Plaintiff 245 E 207 operating corp	Petitioner/Plaintiff's Attorney (include firm's name) Goldberg Lustig & Stocker
Respondent/Defendant Idil Haner	Respondent/Defendant's Attorney (include firm's name)
Date of Service 2/28/2018	
Process Server Name Benjamin Lamb	DCA License No. 1071492
Process Serving Agency Name/DCA License No. KeyMuhl DBA Kenco Process Serving MS1622	
I am submitting this form as:	<input type="checkbox"/> A process server individual <input checked="" type="checkbox"/> An authorized representative of the process serving agency

Signature

Date

6/17/19

IMPORTANT Process servers and process serving agencies both must report the final result of the traverse hearing to DCA within 10 days of learning the final result. See Title 6, Rules of the City of New York 2-236(c). Use **Part II** of this form to report the final result of the traverse hearing.



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

PART II – REPORT OF FINAL RESULT

You must attempt to contact the petitioner/plaintiff or the petitioner/plaintiff's attorney by U.S. mail or e-mail to learn the final result of the traverse hearing. If you do not receive a response from the petitioner/plaintiff or the petitioner/plaintiff's attorney within 60 days of the scheduled hearing date, you must search the court records for the final result of the traverse hearing. If you have not learned the final result within 90 days of the scheduled hearing date, you must search the court records again. Within 100 days of the hearing date, you must report to DCA either (1) the final result of the traverse hearing OR (2) that you made a diligent attempt to learn the final result without success.

Note: "Decision reserved" is not a final result and you must continue to search for the final court decision in accordance with the procedure summarized above.

Submit this form along with any attachments to DCA by e-mailing TraverseReports@dca.nyc.gov. You are encouraged to attach a copy of the court's decision to the report.

Final Result (Check ONE box only.)
Traverse was: <input type="checkbox"/> Sustained (improper service) <input type="checkbox"/> Overruled (proper service) <input type="checkbox"/> Settled (Please provide details below.) <input checked="" type="checkbox"/> I affirm that I attempted to contact plaintiff or plaintiff's attorney to learn the final result, diligently searched the court file 60 and 90 days from the date of the scheduled hearing, but was unable to learn final result. <input type="checkbox"/> Other (Provide details below, including any reason(s) that the traverse hearing was not held.)
Comments

Signature

Keith Wong

Date

8/16/19

Print Name

Keith Wong



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

PART II – REPORT OF FINAL RESULT

You must attempt to contact the petitioner/plaintiff or the petitioner/plaintiff's attorney by U.S. mail or e-mail to learn the final result of the traverse hearing. If you do not receive a response from the petitioner/plaintiff or the petitioner/plaintiff's attorney within 60 days of the scheduled hearing date, you must search the court records for the final result of the traverse hearing. If you have not learned the final result within 90 days of the scheduled hearing date, you must search the court records again. Within 100 days of the hearing date, you must report to DCA either (1) the final result of the traverse hearing OR (2) that you made a diligent attempt to learn the final result without success.

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Final Result (Check ONE box only.)
Traverse was: <input checked="" type="checkbox"/> Sustained (improper service) <input type="checkbox"/> Overruled (proper service) <input type="checkbox"/> Settled (Please provide details below.) <input type="checkbox"/> I affirm that I attempted to contact plaintiff or plaintiff's attorney to learn the final result, diligently searched the court file 60 and 90 days from the date of the scheduled hearing, but was unable to learn final result. <input type="checkbox"/> Other (Provide details below, including any reason(s) that the traverse hearing was not held.)
Comments

Signature

Date

11/4/19

Print Name

Keith Wong DBA Kenco

Civil Court of the City of New York
County of Bronx

Index No: CV-073546-06/BX



LR CREDIT 10, LLC

Plaintiff(s)

-against-

MARY CORTI

Defendant(s)

**REPORT OF A TRAVERSE
HEARING**

To: New York City Department of Consumer Affairs
Attn: Legal Division
42 Broadway, 9th Floor
New York, NY 10004

From: Hon. **DONALD A. MILES**
JUDGE, CIVIL COURT
Civil Court, City of New York
County of Bronx

A traverse hearing was held before me in Part 39 on August 13, 2014.

on the sufficiency of service on index number CV-073546-06/BX.

The name of the process server is Benjamin Lamb

The license of the process server is 1071492

Traverse was: ☒ Sustained (Service was improper)

☐ Overruled (Service was proper)

Comments: (was based on default of plaintiff/ plaintiff process server) other NO LOG,
NO CPY Device, NO CPY Records,

See copy of the decision attached

Date: 8/13/2014.

D A Miles
Judge, Civil Court

Page 1 of 2

Civil Court of the City of New York

County of BROOKLYN

Part

Index Number 073546-06

LR CREDIT 13 LLC

Claimant(s)/Plaintiff(s)/Petitioner(s)

against

MARY CARTER,

Defendant(s)/Respondent(s)

DECISION/ORDER

Defendant's Traverse challenge is sustained. Plaintiff's witness, process server, did not have a log (which is no longer required); however, said witness did submit a GPS device and recovering therefrom. Additionally, witness could not accurately remember service, subsequent to being requested by Plaintiff's office. It is the burden of plaintiff to prove, through a fair and reasonable preponderance of credible evidence, that defendant was properly served.

Defendant denies the service and specifically refutes the identity of the person who allegedly received substituted

Date

Judge, Civil Court

Page 2 of 2

Civil Court of the City of New York

County of BRONX
Part

Index Number 073548-00

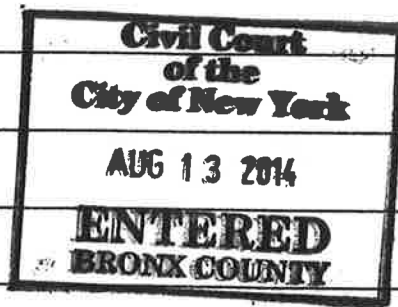
Claimant(s)/Plaintiff(s)/Petitioner(s)
against
Defendant(s)/Respondent(s)

DECISION/ORDER

Service. Hence, plaintiffs cannot sustain its burden, therefore burden never shifted to defendant.

Accordingly, Plaintiff's case is dismissed.

This constitutes the Decision and Order of the Court.



8-13-14

Date

[Signature]

Judge, Civil Court

DONALD A. MILES
JUDGE, CIVIL COURT



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

Process servers and process serving agencies both must report a scheduled traverse hearing (hearing contesting service) to the Department of Consumer Affairs (DCA) within 10 days of receiving oral or written notice that such a hearing has been scheduled. See Title 6, Rules of the City of New York § 2-236(a). Use Part I of this form to report the scheduled hearing. Submit this form and any attachments to DCA by e-mailing TraverseReports@dca.nyc.gov.

Note: Both the process server and the process serving agency must each submit a completed Traverse Report Form.

PART I - REPORT OF HEARING

Date of Hearing <u>8/21/2019</u>	
Court <u>Civil</u>	County <u>Bronx</u>
Part <u>J Room 490</u>	Index No. <u>21516/19</u>
Judge <u>N/A</u>	
Petitioner/Plaintiff <u>Sanitar Daytop Village Inc</u>	Petitioner/Plaintiff's Attorney (include firm's name) <u>Goldberg Lustig & Stockler</u>
Respondent/Defendant <u>John De Chandler Boswell</u>	Respondent/Defendant's Attorney (include firm's name) <u>John De</u>
Date of Service <u>5/4/2019</u>	
Process Server Name <u>Benjamin Lamb</u>	DCA License No. <u>1071492</u>
Process Serving Agency Name/DCA License No. <u>Hence Process Serv Inc</u>	
I am submitting this form as: <input type="checkbox"/> A process server individual <input checked="" type="checkbox"/> An authorized representative for the process serving agency	

Signature

Date

8/19/19

IMPORTANT: Process servers and process serving agencies both must report the final result of the traverse hearing to DCA within 10 days of learning the final result. See Title 6, Rules of the City of New York § 2-236(c). Use Part II of this form to report the final result of the traverse hearing.



Department of
Consumer Affairs

TRAVERSE REPORT FORM FOR PROCESS SERVERS/AGENCIES

PART II – REPORT OF FINAL RESULT

You must attempt to contact the petitioner/plaintiff or the petitioner/plaintiff's attorney by U.S. mail or e-mail to learn the final result of the traverse hearing. If you do not receive a response from the petitioner/plaintiff or the petitioner/plaintiff's attorney within 60 days of the scheduled hearing date, you must search the court records for the final result of the traverse hearing. If you have not learned the final result within 90 days of the scheduled hearing date, you must search the court records again. Within 100 days of the hearing date, you must report to DCA either (1) the final result of the traverse hearing OR (2) that you made a diligent attempt to learn the final result without success.

Note: "Decision reserved" is not a final result and you must continue to search for the final court decision in accordance with the procedure summarized above.

Submit this form along with any attachments to DCA by e-mailing TraverseReports@dca.nyc.gov. You are encouraged to attach a copy of the court's decision to the report.

Final Result (Check ONE box only)	
Traverse was:	
<input type="checkbox"/>	Sustained (improper service)
<input type="checkbox"/>	Overruled (proper service)
<input type="checkbox"/>	Settled (Please provide details below.)
<input type="checkbox"/>	I affirm that I attempted to contact plaintiff or plaintiff's attorney to learn the final result, diligently searched the court file 60 and 90 days from the date of the scheduled hearing, but was unable to learn final result.
<input checked="" type="checkbox"/>	Other (Provide details below, including any reason(s) that the traverse hearing was not held.)
Comments	
<p>Case Dismissed NO Log Book - process Server Benjamin Lany</p>	
Signature	Date
<i>[Signature]</i>	2/18/20
Print Name	
feith wchl	

Civil Court of the City of New York
County of Bronx

Index No: CV-046199-08/BX



LR CREDIT 17, LLC

Plaintiff(s)

**REPORT OF A TRAVERSE
HEARING**

-against-
AMERICO SANTIAGO

Defendant(s)

To: New York City Department of Consumer Affairs
Attn: Legal Division
42 Broadway, 9th Floor
New York, NY 10004

**PAUL L. ALPERT
JUDGE, CIVIL COURT**

From: Hon. _____
Civil Court, City of New York
County of Bronx

A traverse hearing was held before me in Part 39 on September 11, 2014

on the sufficiency of service on index number CV-046199-08/BX.

The name of the process server is Benjamin Lamb

The license of the process server is 1071492

Traverse was: X Sustained (Service was improper)

_____ Overruled (Service was proper)

Comments: (was based on default of plaintiff/ plaintiff process server) other Decision based on
default of plaintiff and plaintiff's process server

See copy of the decision attached

Date: 9/11/14

Judge, Civil Court

**PAUL L. ALPERT
JUDGE, CIVIL COURT**

Civ GP 30 (Dec 2005)



Civil Court of the City of New YorkCounty of BronxIndex Number CV-046199-08Part 39

LR Credit 17, LLC

Claimant(s)/Plaintiff(s)/Petitioner(s)

against

DECISION/ORDER

Americo Santiago

Defendant(s)/Respondent(s)

This matter having been set for a Traverse hearing today by a previous order of the court is hereby dismissed based upon plaintiff's default. Defendant has appeared but Plaintiff + Plaintiff's process server has failed to appear. The traverse is sustained and the action is dismissed for lack of personal jurisdiction over defendant.

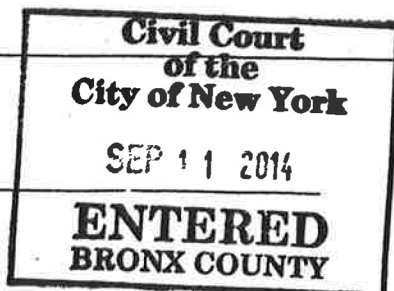
The default judgment is hereby vacated and all bank account restraints, wage garnishments and other levies/liens are also vacated.


Plaintiff is directed to return any/all funds collected in connection with the default judgment to Defendant.

This constitutes the decision/order of the court.

9/11/14

Date




Judge, Civil Court
PAUL L. ALPERT
JUDGE, CIVIL COURT